

## CLAIM AMENDMENTS

1. (Currently Amended) For an instrument responsive to recipe parameters, a method for creating a recipe, the method comprising:
  - accessing mask set data;
  - recognizing a target structure in the mask set data;
  - extracting parameters from the mask set data; and
  - configuring the recipe based on the extracted parameters responsive to the recognized target structure, wherein the configuring of the recipe is performed before a wafer printed with a mask created from the mask set data is generated. ~~without use of an exemplar of the mask set data.~~
2. (Currently Amended) The method of claim 1 wherein the recipe ~~parameters~~ for a process layer ~~are~~ is queried from a database.
3. (Currently Amended) The method of claim 1 wherein the recipe ~~parameters~~ comprises at least one of wafer processing parameters, inspection parameters, and control parameters.
4. (Original) The method of claim 1 wherein the target structure comprises at least one of alignment site, measurement site, overlay target, and array element.
5. (Currently Amended) For an instrument instructed by a recipe to perform a task on a wafer, a method comprising:
  - receiving design data describing a die;
  - extracting parameters from the design data relevant to the configuration of the instrument;
  - ~~,without using an exemplar of the design data;~~

~~applying the extracted parameters to at least one die on the wafer; and~~  
creating from the ~~applied~~ extracted parameters, the recipe for performing the task, wherein  
the recipe is created before a wafer to which the design data has been applied is  
generated.

6. (Original) The method of claim 5 wherein the task includes at least one of inspection and metrology.
7. (Currently Amended) The method of claim 5 further comprising applying the extracted parameters to at least one die on the wafer using a stepper setup file. ~~wherein the applying uses a stepper setup file.~~
8. (Original) The method of claim 5 wherein the design data includes at least one of element names and instance types.
9. (Original) The method of claim 5 further comprising inspecting the wafer using the recipe.
10. (Original) The method of claim 9 wherein the inspecting is micro inspection.
11. (Original) The method of claim 9 wherein the inspecting is macro inspection.
12. (Original) The method of claim 9 wherein the inspecting is darkfield inspection.
13. (Original) The method of claim 5 further comprising measuring the wafer using the recipe.
14. (Original) The method of claim 13 wherein the measuring is film measurement.
15. (Original) The method of claim 13 wherein the measuring is critical dimension measurement.

16. (Original) The method of claim 13 wherein the measuring is overlay measurement.
17. (Currently Amended) A recipe extraction system using design data specifying one or more die, the system comprising:
- an access module to access the design data;
  - an analyzer to extract parameters from the design data; and
  - a configuration module to produce a recipe for controlling one of an inspection and a metrology instrument, wherein the configuration module produces the recipe before a wafer to which the design data has been applied is generated. ~~without using an exemplar of the design data.~~
18. (Original) The system of claim 17 wherein the access module is a network interface.
19. (Original) The system of claim 17 wherein the analyzer performs overlay recipe extraction.
20. (Original) The system of claim 17 wherein the analyzer performs inspection recipe extraction.
21. (Original) The system of claim 17 wherein the recipe is a set of instructions for measuring a wafer.
22. (Original) The system of claim 17 wherein the recipe is a set of instructions for inspecting a wafer.
23. (Currently Amended) An inspection/metrology instrument using design data specifying one or more die, the instrument comprising:
- an input interface for accessing the design data;
  - an analyzer to recognize target structures in the design data and extract parameters from the

design data; and

a recipe module creating a recipe based on the extracted parameters responsive to the  
recognized target structure, wherein the recipe module creates the recipe before a wafer  
to which the design data has been applied is generated. ~~without using an exemplar of the~~  
~~design data, in accordance with the recognized target structures.~~

24. (Cancelled).

25. (Cancelled).

26. (Cancelled).

27. (Cancelled).

28. (Cancelled).

29. (Cancelled).

30. (Cancelled).

31. (Cancelled).